IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY AND ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1328 OF 2002
IN
SUIT NO.1893 OF 1980

National Small Industries Corporation..Plaintiff

Vs.

M/s.A.Kalvert & Co. .. Defendant

Mr.S.S.Dadwal for the plaintiff

Mr.S.A.Bhagwat for the defendant

CORAM : S.U.KAMDAR, J

DATED : 18TH AUGUST, 2005

P.C.:

1. The present Notice of Motion is for restoration of the suit which is dismissed for default. The ground given in the affidavit is that the advocate could not attend the matter as he was busy in the other court.

2. For the reasons set out in affidavit in support of the motion, motion made absolute in terms of prayer clause (a). Plaintiff to pay the cost of the present Notice of Motion quantified at Rs.3000/- to the defendant. Motion disposed of

accordingly.